

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)	MDL No. 2804
)	
THIS DOCUMENT RELATED TO:)	Case No. 1:17-MD-2804-DAP
)	
<i>ALL CASES</i>)	Judge Dan Aaron Polster
)	
)	

MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL

Defendants Anda Pharmaceuticals, Inc. and Anda, Inc. (“Anda Defendants”) respectfully move the Court pursuant to Local Rule 83.9 for an order substituting Evan K. Jacobs with the law firm of Morgan, Lewis & Bockius LLP (“Morgan Lewis”) as counsel of record in place of the law firm Foley and Lardner LLP (“Foley”) and its attorneys, for the purposes of all matters pending in *In re: National Prescription Opiate Litigation*, Case No. 17-md-02804-DAP (the “Opiate MDL”). In support of this Motion, Anda Defendants state the following:

1. Foley has been counsel of record for each of the Anda Defendants in some or all of the cases currently pending in the Opiate MDL.

2. Current Foley attorneys having appeared on behalf of one or more of the Anda Defendants in some or all of the cases currently pending in the Opiate MDL include but are not limited to:

- a. James W. Matthews
- b. Katy E. Koski
- c. Kristina J. Matic
- d. Graham D. Welch
- e. Gregory N. Heinen

f. Ana M. Francisco

g. Morgan E. McDonald

3. The Anda Defendants wish to substitute Evan K. Jacobs of Morgan Lewis and its attorneys in connection with all matters pending in the Opiate MDL in which Foley and its attorneys have entered an appearance on behalf of the Anda Defendants.

4. Undersigned counsel certify that they have provided written notice of the substitution to the Anda Defendants, and they have consented to the withdrawal and substitution of counsel. Undersigned counsel certify that by the CM/ECF service of this filing they have notified all parties to the case of this substitution.

5. By filing this Motion, the Anda Defendants do not admit any facts or waive any rights, and instead expressly reserve all substantive and procedural rights, defenses, affirmative defenses, remedies, protections, immunities, and objections in connection with matters pending in the Opiate MDL, including all defenses related to jurisdiction and service of process.

WHEREFORE, the Anda Defendants respectfully request an order authorizing the substitution of Evan K. Jacobs of the law firm of Morgan, Lewis & Bockius LLP and the withdrawal as counsel of Foley and Lardner and its attorneys James W. Matthews, Katy E. Koski, Kristina J. Matic, Graham D. Welch, Gregory N. Heinen, Ana M. Francisco, and Morgan E. McDonald, in connection with any case pending in the Opiate MDL.

Dated: January 12, 2023

Respectfully submitted,

/s/ James W. Matthews

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*Counsel for Defendants Anda Pharmaceuticals, Inc.
and Anda, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of Ohio by using the CM/ECF system on January 12, 2023. I further certify that service will be accomplished by the CM/ECF system.

By /s/ Evan K. Jacobs
Evan K. Jacobs